



# WHAT IS THE 50% RULE?

Monroe County began participating in the National Flood Insurance Program on January 1, 1975. Structures built before Monroe County began participating in the National Flood Insurance Program are considered pre-FIRM (before **F**lood **I**nsurance **R**ate **M**aps). There were no elevation requirements prior to January 1, 1975.

Pre-FIRM ground level structures are non-conforming to the elevation requirements and as such are limited to the value they may be improved by without being required to elevate. This is known as the 50% rule. A pre-FIRM structure is only allowed to be improved up to 50% of the market value (this does not include the land value) without being required to elevate. Section 9.5-316.1 of the Floodplain Management Ordinance defines market value as:

THE MONROE COUNTY PROPERTY APPRAISER'S  
DEPRECIATED VALUE OF THE STRUCTURE PLUS 20%.  
THE USE OF A COST APPROACH APPRAISAL FOR  
DETERMINATION OF MARKET VALUE MAY BE USED  
IF SUCH COST APPROACH APPRAISAL IS PREPARED BY  
A CERTIFIED PROFESSIONAL AND SUCH COST APPROACH  
APPRAISAL IS SUBMITTED TO AND APPROVED BY THE  
CONTRACTORS BOARD OF ADJUSTMENT AND APPEALS.

This same approach is required to determine substantial damage. Substantial damage is damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged conditions would equal or exceed 50% of the market value of the structure before the damage occurred. Substantial damage can occur in non-disaster, everyday situations through the rehabilitation of or addition to a structure. It does not necessarily occur as a result of a storm or fire.